

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                          |   |                            |
|--------------------------|---|----------------------------|
| UNITED STATES OF AMERICA | : | CRIMINAL ACTION NO. 09-554 |
|                          | : |                            |
| v.                       | : |                            |
|                          | : |                            |
| MALCOLM MOORE            | : | CIVIL ACTION NO. 12-278    |

**ORDER**

**AND NOW**, this 29th day of May, 2012, upon consideration of Defendant Malcolm Moore's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 (the "§ 2255 Motion") (Docket No. 46), the Government's Motion to Dismiss (Docket No. 48), and the documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. The Government's Motion to Dismiss (Docket No. 48) is **GRANTED**.
2. The § 2255 Motion (Docket No. 46) is **DISMISSED**.

BY THE COURT:

/s/ John R. Padova  
John R. Padova, J.